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on March 31, 2004

Glenn P. Ladwig, Patent Attorney

INFORMATION DISCLOSURE

AF1/65/

**STATEMENT** 

Examining Group 1651

Patent Application

Docket No. USF-T173CXC1

Serial No. 09/914,508

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner

Vera Afremova

Art Unit

1651

Applicant

Beerelli Seshi

Serial No.

09/914,508

Filed

November 7, 2001

For

Human Mesenchymal Progenitor Cell

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

<u>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</u> UNDER 37 CFR §§1.97 AND 1.98

Sir:

In accordance with 37 CFR §1.56, the references listed on the attached form PTO/SB/08 are being brought to the attention of the examiner for consideration in connection with the examination of the above-identified patent application. A copy of each cited reference is enclosed.

The applicant respectfully asserts that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted

Glenn P. Ladwig

Patent Attorney

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Attachments: Form PTO/SB/08 (2 pages); copies of references cited therein.

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PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO						Con	Complete if Known		
INICOD	BA A TIO	N DICCI	001	UDE		Application Number	09/914,508		
INFORMATION DISCLOSURE						Filing Date	November 7, 2001		
STATEMENT BY APPLICANT  (use as many sheets as necessary)						First Named Inventor	Beerelli Seshi		
						Art Unit	1651		
_						Examiner Name	Vera Afremova		
Sheet		1	of		2	Attorney Docket Number	USF-T173CXC1		

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. 1	Document Number Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	U1	US-				
	U2	US-				
	U3	US-				
	U4	US-				
	U5	US-				
	U6	US-				
	U7	US-				
	U8	US-				
	U9	US-	,			

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Foreign Patent Document  Country Code 3 - Number 4 - Kind Code5 (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
_	F1	WO 01/94541 A2	12-13-2001	Univ. of South Florida	All		
	F2	WO 03/029432 A2	04-10-2003	Univ. of South Florida	All		
	F3						
	F4						
	F5						
	F6						
	F7						

Examiner	Date	
Signature	Considered	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B (08-03)

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Substitute for form 1449B/PTO

Sheet

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of 2

Complete if Known			
Application Number	09/914,508		
Filing Date	November 7, 2001		
First Named Inventor	Beerelli Seshi		
Group Art Unit	1651		
Examiner Name	Vera Afremova		
Attorney Docket Number	USF-T173CXC1		

	NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, joumal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>			
	R1	LAZARUS, H.M. et al. "Human bone marrow-derived mesenchymal (stromal) progenitor cells (MPCs) cannot be recovered from peripheral blood progenitor cell collections" <i>J. Hemototherapy</i> , 1997, 6:447-455.				
	R2	SIMMONS, P.J. et al. "Isolation, characterization and functional activity of human marrow stromal progenitors in hemopoiesis" Advances in Bone Marrow Purging and Processing, 1994, 389:271-280.				
	R3	SULLIVAN, A.K. et al. "Cellular composition of rat bone marrow stroma" Lab. Invest., 1989, 60(4):667-676				
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